

PAUL M. WARNER, United States Attorney (#3389)  
BILL RYAN, Assistant United States Attorney (#2837)  
Attorneys for the United States of America  
185 South State Street, Suite 400  
Salt Lake City, Utah 84111  
Telephone: (801) 524-5682

FILED  
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DISTRICT OF UTAH  
BY: [Signature]

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,	:	MOTION FOR LEAVE TO DISMISS
	:	
Plaintiff,	:	Case No. 2:02-CR-146 SA
	:	
v.	:	(Failure to Obtain Permit or
	:	Pay Fees (43 C.F.R. 8372.0-
DIAMOND RANCH ACADEMY,	:	7(a)(1)))
	:	
Defendant.	:	Magistrate Judge Samuel Alba

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Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States Attorney for the District of Utah hereby moves for leave to dismiss the above-captioned Misdemeanor Information now pending against the defendant for the reason that the defendant has paid restitution to Bureau of Land Management in the amount of \$500.00.

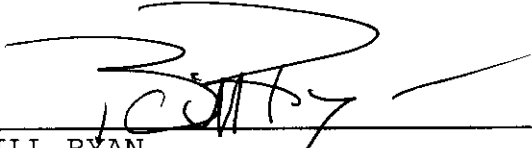
Subject to the Court granting the Government's Motion For Leave To Dismiss and pursuant to Rule 48(a) of the Federal Rules of

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Criminal Procedure, the above-captioned Misdemeanor Information now pending against the defendant, is hereby dismissed without prejudice.

DATED this 20 day of January, 2004.

PAUL M. WARNER  
United States Attorney

  
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BILL RYAN  
Assistant United States Attorney

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,	:	ORDER GRANTING LEAVE TO DISMISS
	:	
Plaintiff,	:	Case No. 2:02-CR-146
	:	
v.	:	(Failure to Obtain Permit or
	:	Pay Fees (43 C.F.R. 8372.0-
DIAMOND RANCH ACADEMY,	:	7(a)(1)))
	:	
Defendant.	:	Magistrate Judge Samuel Alba

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Based upon the motion of the United States of America, and for good cause appearing, the Court hereby grants leave under Rule 48(a) of the Federal Rules of Criminal Procedure for the dismissal without prejudice of the above-captioned Misdemeanor Information now pending against the defendant.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2004.

BY THE COURT:

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United States Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the United States Attorney's Office, and that a copy of the foregoing Motion for Leave to Dismiss was mailed, postage prepaid to all parties named below, this 20th day of January, 2004.

A handwritten signature in black ink, reading "Hudson Callaway", is written over a horizontal line.

Terry L. Wade, Esq.  
Durham Jones & Pinegar  
192 East 200 North, 3rd Floor  
St. George, Utah 84770